K. England — Commons — House of.

Mr. S——R,

THE *Enclosed Memorial you are Charg'd with, in the behalf of many Thousands of the good People of* England.

There is neither Popish, Jacobite, Seditious, Court, *or* Party Interest *concern'd in it; but Honesty and Truth.*

You are Commanded by Two Hundred Thousand Englishmen, *to Deliver it to the H—e of C——s, and to inform them that it is no Banter, but Serious Truth; and a Serious regard to it is Expected; nothing but Justice, and their Duty is requir'd, and it is requir'd by them who have both a Right to Require, and Power to Compell.* viz. *the People of* England.

We could have come to the House Strong enough to Oblige them to hear us, but we have avoided any Tumults, not desiring to Embroil, but to Save our Native Country.

If you refuse to Communicate it to them, you will find cause in a short time to Repent it.

To R——t H——y Esq; S——r
to the [illegible]——e of
C——s,
These.

The MEMORIAL.

To the K——s, C——s, and B——s in P——t Assembled.

A Memorial,

From the Gentlemen, Free-holders and Inhabitants of the Counties of —— in the behalf of themselves, and

 many

many Thousands of the good People of *England*.

Gentlemen,

It were to be wish'd you were Men of that Temper, and possess'd of so much Honour, as to bear with the Truth, tho it be against you: Especially from us who have so much Right to tell it you; but since, Even Petitions to you from your Masters, (for such are the People who Chose you) are so Haughtily receiv'd, as with the Committing the Authors to Illegal Custody; you must give us leave to give you this fair Notice of your Misbehaviour, without Exposing our Names.

If you think fit to rectifie your Errors, you will do well, and possibly may hear no more of us; but if not, assure your selves the Nation will not long hide their Resentments. And tho there are no stated Proceedings to bring you to your Duty, yet the great Law of Reason says, and all Nations allow, that whatever Power is above Law, is Burthensom, and Tyrannical; and may be reduc'd by *Extrajudicial* Methods: You are not above the Peoples Resentments, they that made you Members, may reduce you to the same rank from whence they chose you; and may give you a Taste of their abused kindness, in Terms you may not be pleas'd with.

When the People of *England* Assembl'd in Convention, Presented the Crown to his present Majesty, they annexed a Declaration of the Rights of the People, in which was Express'd what was Illegal and Arbitrary in the former Reign, and what was claim'd as of Right to be done by Succeeding Kings of *England*.

In like manner, here follows, Gentlemen, a short abridgment of the Nations Grievances, and of your Illegal, and Unwarrantable Practices; and a Claim of Right which we make in the Name of our Selves, and such of the good People of *England*, as are justly Alarum'd at your Proceedings. ——

I. To Raise Funds for Money, and Declare by borrowing Clauses, that whosoever Advances Money on those Funds, shall be Reimburs'd out of the next Aids, if the Funds fall short; and then give Subsequent Funds, without Transferring the Deficiency of the former, is a horrible Cheat on the Subject who lent the Money; a Breach of Publique Faith, and destructive to the Honour and Credit of Parliaments.

II. To Imprison Men who are not your own Members, by no proceedings but a Vote of your House, and to continue them in Custody *Sine Die* is Illegal; a Notorious Breach of the Liberty of the People; Setting up a Dispensing Power in the House of Commons, which your Fathers never pretended to; bidding defiance to the *Habeas Corpus* Act, which is the Bulwark of Personal Liberty, Destructive of the Laws, and Betraying the Trust reposi'd in you. *The King at the same time being Obliged to ask you Leave to continue in Custody the Horrid Assassinators of His Person.*

III. Committing to Custody those Gentlemen, who at the Command of the People (whose Servants you are) and in a Peaceable way put you in mind of your Duty, is Illegal and Injurious; Destructive of the Subjects Liberty of Petitioning for Redress of Grievances, which has by all Parliaments before you, been acknowledged to be their undoubted Right.

IV. Voting a Petition from the Gentlemen of *Kent* Insolent; is Ridiculous and Impertinent, because the Free-holders of *England* are your Superiours; and is a Contradiction in it Self, and a Contempt of the *English* Freedom, and contrary to the Nature of Parliamentary Power.

V. Voting People Guilty of Bribery and Ill Practices, and Committing them as aforesaid, without Bail, and then upon submission and kneeling to your House, dis-

charging them; Exacting Exorbitant Fees by your Officers, is Illegal, Betraying the Justice of the Nation, Selling the Liberty of the Subject, encouraging the Extortion and Villany of Gaolers and Officers; and discontinuing the Legal Prosecutions of Offenders, in the ordinary Course of Law.

VI. Prosecuting the Crime of Bribery in some to serve a Party, and then proceed no further, tho proof lay before you, is Partial and Unjust; and a Scandal upon the Honour of Parliaments.

VII. Voting the Treaty of Partition Fatal to *Europe*, because it gave so much of the *Spanish* Dominions to the *French*, and not concern your selves to prevent their taking Possession of it all. Deserting the *Dutch* when the *French* are at their Doors, till it be almost too late to help them; is Unjust to our Treaties, and unkind to our Confederates; Dishonourable to the *English* Nation, and shews you very negligent of the Safety of *England*, and of our Protestant Neighbours.

VIII. Ordering immediate hearings to trifling Petitions, to please parties in Elections; and *Postpone* the Petition of a Widow for the Blood of her Murthered Daughter, without giving it a reading; is an Illegal delay of Justice, dishonourable to the Publique Justice of the Nation.

IX. Addressing the King to displace His Friends upon bare Surmises, before any Legal Tryal or Article prov'd; is Illegal, an Inverting the Law, and making Execution go before Judgment; contrary to the true sence of the Law, which esteems every Man a good Man till something appears to the contrary.

X. Delaying proceedings upon Capital Impeachments, to blast the reputation of the Persons, without proving the Fact; is Illegal and Oppressive, destructive of

of the Liberty of *Engliſhmen*, a delay of Juſtice, and a reproach to Parliaments.

XI. Suffering Sawcy and indecent Reproaches upon His Majeſties Perſon, to be publiquely made in your Houſe; particularly by that Impudent Scandal of Parliaments *J——n H---w*, without ſhewing ſuch reſentments as you ought to do. The ſaid *H---w* ſaying openly, "That His Majeſty had made a Felonious "Treaty to rob his Neighbours; inſinuating that the "Partition Treaty (which was every way as juſt as blowing up one Mans Houſe to ſave another) "was a Combi-"nation of the King to rob the Crown of *Spain* of its due; this is making a *Billingſgate* of the Houſe, and ſetting up to *Bully* your Soveraign, contrary to the intent and meaning of that freedom of Speech which you claim as a a Right; is ſcandalous to Parliaments; Undutiful and Unmannerly, and a Reproach to the whole Nation.

XII. Your S——r Exacting the Exorbitant rate of 10 *l. per Diem* for the V—s, and giving the Printer incouragement to raiſe it on the People, by ſelling them at 4 *d. per* Sheet; is an Illegal, and Arbitrary exaction, diſhonourable to the Houſe, and burthenſome to the People.

XIII. Neglecting ſtill to pay the Nations Debts, Compounding for Intereſt, and *Poſtponing* Petitions; is Illegal, Diſhonourable, and deſtructive of the Publique Faith.

XIV. Publiquely neglecting the great work of Reformation of Manners; though often preſs'd to it by the King; to the great diſhonour of God, and encouragement of Vice, is a neglect of your Duty, and an abuſe of the Truſt repos'd in you, by God, His Majeſty and the People.

XV. Being Scandalouſly Vitious your ſelves, both in your Morals and Religion; Lewd in Life, and Erroneous in Doctrine, having publique Blaſphemers and

Im-

Impudent denyers of the Divinity of our Saviour among you, and ſuffering them unreproved and unpuniſhed, to the infinite regret of all good Chriſtians, and the Juſt abhorrence of the whole Nation.

Wherefore, in the ſad proſpect of the impending ruine of our Native Countrey, while Parliaments (which ought to be the Security and Defence of our Laws and Conſtitution) betray their Truſt, and abuſe the People whom they ſhould protect, and no other way being left us but *That* Force which we are very loath to make uſe of, that Poſterity may know we did not inſenſibly fall under the Tyranny of a prevailing Party, We do hereby

Claim and declare,

1. That it is the undoubted Right of the People of *England*, in caſe their Repreſentatives in Parliament do not proceed according to their Duty and the Peoples Intereſt, to inform them of their Diſlike, diſown their Actions, and to direct them to ſuch things as they think fit, either by Petition, Addreſs, Propoſal, Memorial, or any other peaceable way.

2. That the Houſe of Commons, ſeparately and otherwiſe than by Bill Legally paſs'd into an Act, have no Legal power to ſuſpend or diſpenſe with the Laws of the Land, any more than the King has by his Prerogative.

3. That the Houſe of Commons have no legal Power to impriſon any perſon, or commit them to cuſtody of Serjeants or otherwiſe, (their own Members excepted) but ought to addreſs the King, to cauſe any perſon on good Grounds to be apprehended, which perſon ſo apprehended, ought to have the Benefit of the *Habeas Corpus* Act, and be fairly brought to Tryal by due Courſe of Law.

4. That if the Houſe of Commons, in breach of the

Laws

Laws and Liberties of the People do betray the Trust repoſed in them, and act Negligently or Arbitrarily, and Illegally, it is the undoubted Right of the People of *England* to call them to an account for the ſame, and by Convention, Aſſembly or Force may proceed againſt them as Traytors, and Betrayers of their Countrey.

Theſe things we think proper to declare, as the unqueſtioned Right of the People of *England*, whom you ſerve, and in purſuance of that Right (avoiding the Ceremony of Petitioning our Inferiours, for ſuch you are by your preſent Circumſtances, as the perſon ſent is Leſs than the *Sender*) We do publickly proteſt againſt all your foreſaid Illegal Actions, and in the Name of our ſelves, and of all the good People of *England*, do

Require and *Demand*

1. That all the publique Juſt Debts of the Nation be forthwith payd and diſcharged.

2. That all perſons illegally impriſoned as aforeſaid, be either immediately diſcharged, or admitted to Bail, as by Law they ought to be; and the Liberty of the Subject Recogniz'd and reſtor'd.

3. That *J—n H—w* aforeſaid be obliged to ask His Majeſties Pardon for his Vile reflections, or be immediately expell'd the Houſe.

4. That the growing Power of *France* be taken into conſideration; the Succeſſion of the Emperour to the Crown of *Spain* ſupported; our Proteſtant Neighbours protected, as the true Intereſt of *England*, and the Proteſtant Religion requires.

5. That the *French* King be obliged to quit *Flanders*, or that His Majeſty be addreſs'd to declare War againſt him.

6. That Suitable Supplyes be granted to His Majeſty

jesty for the putting all these necessary things in execution, and that care be taken that such Taxes as are raised, may be more equally Assessed and Collected, and scandalous Deficiencies prevented.

7. That the thanks of the House may be given to those Gentlemen who so gallantly appear'd in the behalf of their Country, with the *Kentish* Petition, and have been so scandalously used for it.

Thus Gentlemen you have your duty laid before you, which 'tis hoped you will think of; but if you continue to neglect it, you may expect to be treated according to the resentments of an injur'd Nation; for *Englishmen* are no more to be Slaves to Parliaments, than to a King.

Our Name is Legion, and we are Many.

Postscript.

If you require to have this Memorial sign'd with our Names, it shall be done on your first Order, and Personally Presented,

FINIS.

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